

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHWESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES HAJNY,
[DOB: 01/23/1965],

and

GINA HAJNY,
[DOB: 01/10/1975],

Defendants.

Defendants/Counts

James Hajny (1) Cts. 1 thru 4

Gina Hajny (2) Cts. 4

No. 14-5022-01/02-CR-SW-BCW

COUNT 1

18 U.S.C. § 2251(a) and (e)
NLT 15 Years and NMT 30 Years
Imprisonment
NMT \$250,000 Fine
Supervised Release: Up to Life
Class B Felony

COUNT 2

18 U.S.C. § 2252(a)(2) and (b)(1)
NLT 5 Years and NMT 20 Years
Imprisonment
NMT \$250,000 Fine
Supervised Release: Up to Life
Class C Felony

COUNT 3

18 U.S.C. § 2252(a)(4) and (b)(2)
NMT 10 Years Imprisonment
NMT \$250,000 Fine
Supervised Release: Up to Life
Class C Felony

COUNT 4

18 U.S.C. § 2251(a) and (e)
NLT 15 Years and NMT 30 Years
Imprisonment
NMT \$250,000 Fine
Supervised Release: Up to Life
Class B Felony

FORFEITURE ALLEGATION:

18 U.S.C. § 2253

\$100 Mandatory Special Assessment
(Each Count)

SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES THAT:

COUNT 1

On or about May 2, 2014 through May 4, 2014, said dates being approximate, in Jasper County, in the Western District of Missouri, **JAMES HAJNY**, the defendant herein, did knowingly employ, use, persuade, induce, entice, and coerce a minor, Jane Doe #1, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported using any means and facility of interstate and foreign commerce and using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, all in violation of Title 18, United States Code, Section 2251(a) and (e).

COUNT 2

Between December 12, 2013, and May 12, 2014, said dates being approximate, in Jasper County, in the Western District of Missouri, **JAMES HAJNY**, did knowingly receive and distribute any visual depiction that had been mailed and shipped and transported interstate commerce, and which contains materials which had been so mailed and shipped and transported by any means, including by computer, the production of which involved the use of a minor, Jane Doe #1, engaging in sexually explicit conduct and which visual depiction was of such conduct, all in violation of Title 18, United States Code, Sections 2252(a)(2) and (b)(1).

COUNT 3

On or before May 19, 2014, said dates being approximate, in Jasper County, in the Western District of Missouri, **JAMES HAJNY**, the defendant herein, did knowingly possess one or more matters, which contained any visual depiction that had been mailed, shipped and transported in interstate and foreign commerce, and which was produced using materials which

had been mailed, shipped, or transported in interstate and foreign commerce, by any means including by computer, the production of which involved the use of a minor engaging in sexually explicit conduct and which visual depiction was of such conduct, all in violation of Title 18, United States Code, Section 2252(a)(4)(B) and (b)(2).

COUNT 4

On or about January 1, 2013 through May 4, 2014, said dates being approximate, in Jasper County, in the Western District of Missouri, **JAMES HAJNY** and **GINA HAJNY**, the defendant herein, did knowingly employ, use, persuade, induce, entice, and coerce a minor, Jane Doe #2, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported using any means and facility of interstate and foreign commerce and using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, all in violation of Title 18, United States Code, Section 2251(a) and (e).

FORFEITURE ALLEGATION

The allegations contained in Counts 1 through 4 are re-alleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 2253(a).

Pursuant to Title 18, United States Code, Section 2253, upon conviction of one or more of the offenses alleged in Counts 1 through 4 of this Superseding Indictment, the defendants, **JAMES HAJNY** and **GINA HAJNY**, shall forfeit to the United States the following:

- (1) any visual depiction described in Title 18, United States Code, Sections 2251, 2251A, or 2252, or any book, magazine, periodical, film, videotape, computer file, or other matter which contains any such visual depiction, which was

produced, transported, mailed, shipped or received in violation of Title 18, United States Code, Chapter 110; and

- (2) any property, real or personal, used or intended to be used to commit or to promote the commission of the offenses alleged in Counts 1 through 4 of this Superseding Indictment, or any property traceable to such property.

The property to be forfeited includes, but is not limited to, the following:

- (a) A Toshiba laptop computer, Model Satelit A505-s, Serial Number z9207714Q.
- (b) A Samsung cellular phone, Model Sph-l170- Serial Number 256691487004798214.
- (c) An Apple 8g Ipod, Serial Number 8Q946Q2975J.
- (d) An Olympus digital camera, Serial Number U98A39667.
- (e) A Samsung Tablet, Serial Number RF208749CWB.
- (f) A Samsung Tablet, Serial Number RF2D10T250J.
- (g) A Sumsung cellular phone, Model Sph-d600, Serial Number 26843546080741482.

A TRUE BILL

/s/
FOREPERSON OF THE GRAND JURY

/s/ Patrick A. N Carney
PATRICK A.N. CARNEY
Assistant United States Attorney

DATED: 07/22/2014